

SENATE CONSERVATION COMMITTEE SUBSTITUTE FOR
SENATE BILL 157

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

AN ACT

RELATING TO WATER; CHANGING THE MEMBERSHIP OF THE INTERSTATE
STREAM COMMISSION; PROVIDING OTHER TERMS OF HOLDING OFFICE ON
THE COMMISSION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 72-14-1 NMSA 1978 (being Laws 1935,
Chapter 25, Section 1, as amended) is repealed and a new
Section 72-14-1 NMSA 1978 is enacted to read:

"72-14-1. [NEW MATERIAL] INTERSTATE STREAM COMMISSION--
CREATION--MEMBERSHIP--ORGANIZATION.--

A. The "interstate stream commission" is created,
consisting of the following members:

(1) the state engineer;

(2) four members appointed by the governor,

with the advice and consent of the senate and with the

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underscoring material = new
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1 provision that not more than two members shall be from the same
2 political party, and at least one of whom shall be a member of
3 a New Mexican Indian nation, tribe or pueblo, as follows:

4 (a) two representatives of an irrigation
5 or conservancy district;

6 (b) one representative of a New Mexico
7 acequia or community ditch; and

8 (c) one representative of a New Mexico
9 drinking water utility that provides at least five hundred
10 acre-feet of water annually for domestic use; and

11 (3) four members appointed by the New Mexico
12 legislative council, with the advice and consent of the senate
13 and with the provision that not more than two members shall be
14 from the same political party, and at least one of whom shall
15 be a member of a New Mexican Indian nation, tribe or pueblo, as
16 follows:

17 (a) one representative of an irrigation
18 or conservancy district;

19 (b) one member of the New Mexico water
20 resources research institute or civil or environmental
21 engineering faculty of New Mexico state university or the
22 university of New Mexico;

23 (c) one professional hydrogeologist with
24 expertise in New Mexico ground water resources who is a faculty
25 member of the New Mexico institute of mining and technology or

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1 a professional engineer with a New Mexico consulting
2 engineering practice in water resources or water utility
3 engineering; and

4 (d) one representative of a
5 nongovernmental conservation advocacy organization.

6 B. No two members shall be appointed from the same
7 irrigation or conservancy district, and no more than three
8 members shall be appointed from the same congressional
9 district. The appointed members shall be qualified by no less
10 than ten years' experience with New Mexico water resources. A
11 member who changes political party affiliation shall be deemed
12 to have resigned, and a person shall not be qualified for
13 appointment if the person has changed party affiliation in the
14 previous two years.

15 C. Appointed members of the commission shall serve
16 for staggered terms of four years; provided that of the initial
17 members, two members shall serve for one year, two members
18 shall serve for two years, two members shall serve for three
19 years and two members shall serve for four years. Initial
20 terms shall be decided by drawing lots.

21 D. A member may be removed from the commission by
22 the original appointing authority of that member for failure to
23 attend three consecutive meetings or for other cause in the
24 same manner as provided for removal of members of boards of
25 regents under Article 12, Section 13 of the constitution of New

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1 Mexico. A vacancy occurring other than by expiration of the
2 term shall be filled in the same manner as the original
3 appointment for the remainder of the unexpired term.

4 E. The commission shall elect a chair and vice
5 chair as provided by rule, and the state engineer shall be the
6 secretary. A commission member shall not hold any office or
7 employment in a political party.

8 F. All actions of the commission shall be by
9 majority vote, and a majority of members constitutes a quorum
10 for the transaction of business."

11 SECTION 2. TEMPORARY PROVISION--INITIAL APPOINTMENTS TO
12 INTERSTATE STREAM COMMISSION.--Members of the interstate stream
13 commission serving as of July 1, 2017 shall continue in their
14 positions until their replacements have been appointed.
15 Current members who meet the qualifications of the positions
16 specified in Section 72-14-1 NMSA 1978 may be appointed for new
17 terms. A member appointed before January 1, 2018 pursuant to
18 this act shall serve until the next session of the legislature,
19 at which point the member shall stand for confirmation by the
20 senate, for a term beginning January 1, 2018 and ending
21 December 31 in the year for that position as determined by lot
22 in accordance with Subsection C of Section 72-14-1 NMSA 1978.

23 SECTION 3. EFFECTIVE DATE.--The effective date of the
24 provisions of this act is July 1, 2017.